

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN KNIGHT et al.,
Plaintiffs,

v.

CHRISTMAS TREE SHOPS, INC.
Defendant.

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Civil Action No. 04-12698-JLT

ORDER

August 2, 2005

TAURO, J.

This court hereby orders that:

1. Plaintiffs' Motion for Leave to File Amended Complaint [#17] is ALLOWED;
2. The Third Cause of Action (Copyright Infringement) is DISMISSED as Plaintiffs have failed to allege preregistration of a copyright pursuant to 17 U.S.C. § 411(a);
3. The Fourth and Fifth Causes of Action (Violations of 18 U.S.C. § 1962(a), (c) and (d)) are DISMISSED as Plaintiffs have failed to sufficiently plead a predicate act, an "association-in-fact enterprise," and a pattern of racketeering activity; and
4. No additional amendments to the complaint will be allowed. As stated in open court on June 30, 2005, and memorialized by written order dated June 30, 2005 and docketed July 12, 2005, Plaintiffs had leave to file a second amended complaint on or before July 7, 2005.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge